

MONTANA LEGISLATIVE HISTORY

Chapter 412 19 97

Bill H _____ S 338

Original bill & history ☒ c

H. Committee on State Admin.

Hearing Date(s) 3-27 ☒ c

_____ c

_____ c

_____ c

Date Out _____ c

S. Committee on Public Health, Was

Hearing Date(s) 2-17 ☒ c

2-21 ☒ c

_____ c

_____ c

Did this bill originate in an interim committee? ☐ Yes ☐ No

Committee _____

Report _____

LEGISLATIVE HISTORIES

The 1997 Montana Legislature dramatically changed the nature of legislative minutes. This altered format continues with the 1999 legislative minutes. The minutes from House committees are extremely sparse in content, offering no substantive information from which to glean legislative intent. The Senate committees' minutes are fuller in content.

Exhibits, which include written statements, attendant information, roll call votes, roll call attendance, a list of those from the public who were present, and specific action taken on legislative bills, will be available only through the Historical Society Archives, 444-4774, and from a CD-ROM produced by the Legislative Services Division, 444-3064.

Just as in the 1997 legislative session, the 1999 House and Senate committee hearings were recorded. For information on accessing the tapes, or purchasing them, contact the Archives, 444-4774.

If you have concerns over the format of these legislative minutes, it is suggested that you contact your state legislators.

4/28 SIGNED BY GOVERNOR
CHAPTER NUMBER 411
EFFECTIVE DATE: 04/28/97

SB 337 INTRODUCED BY GROSFIELD, ET AL. LC0959 DRAFTER: COLHOUN

RATIFY A RESERVED WATER RIGHTS COMPACT AMONG THE STATE OF MONTANA, THE CHIPPEWA CREE TRIBE OF THE ROCKY BOY'S INDIAN RESERVATION, AND THE UNITED STATES OF AMERICA

2/12	INTRODUCED		
2/12	FIRST READING		
2/12	REFERRED TO NATURAL RESOURCES		
2/17	HEARING		
2/20	COMMITTEE REPORT—BILL PASSED AS AMENDED		
2/24	2ND READING PASSED	50	0
2/25	3RD READING PASSED	50	0
	TRANSMITTED TO HOUSE		
3/03	FIRST READING		
3/03	REFERRED TO NATURAL RESOURCES		
4/02	HEARING		
4/03	COMMITTEE REPORT—BILL CONCURRED		
4/04	2ND READING CONCURRED	93	6
4/05	3RD READING CONCURRED	91	8
	RETURNED TO SENATE		
4/10	SIGNED BY PRESIDENT		
4/10	SIGNED BY SPEAKER		
4/11	TRANSMITTED TO GOVERNOR		
4/14	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 265		
	EFFECTIVE DATE: 10/01/97		

SB 338 INTRODUCED BY GROSFIELD LC0760 DRAFTER: NISS

REQUIRING LICENSURE OF CERTAIN GUEST RANCHES AND OUTFITTING AND GUIDE FACILITIES BY THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

2/12	INTRODUCED		
2/12	FIRST READING		
2/12	REFERRED TO PUBLIC HEALTH, WELFARE & SAFETY		
2/12	FISCAL NOTE REQUESTED		
2/17	HEARING		
2/18	FISCAL NOTE RECEIVED		
2/20	FISCAL NOTE PRINTED		
2/22	COMMITTEE REPORT—BILL PASSED AS AMENDED		
2/25	2ND READING PASSED	48	2
2/26	3RD READING PASSED	44	5
	TRANSMITTED TO HOUSE		
3/03	FIRST READING		
3/03	REFERRED TO BUSINESS & LABOR		
3/17	REFERRED TO STATE ADMINISTRATION		
3/27	HEARING		
3/28	COMMITTEE REPORT—BILL CONCURRED AS AMENDED		
4/08	2ND READING CONCURRED	81	18
4/09	3RD READING CONCURRED	84	15
	RETURNED TO SENATE WITH AMENDMENTS		
4/15	2ND READING AMENDMENTS CONCURRED	49	0
4/16	3RD READING CONCURRED AS AMENDED	45	5
4/18	SIGNED BY PRESIDENT		
4/20	SIGNED BY SPEAKER		

4/21 TRANSMITTED TO GOVERNOR
 4/28 SIGNED BY GOVERNOR
 CHAPTER NUMBER 412
 EFFECTIVE DATE: 04/28/97—SECTIONS 3 & 9
 EFFECTIVE DATE: 07/01/98—SECTIONS 1, 2 & 4-8

SB 339 INTRODUCED BY GROSFIELD *LC0845 DRAFTER: COLHOUN*

CLARIFY THE REVIEW OF CERTAIN PARCEL DIVISIONS

2/12	INTRODUCED		
2/12	FIRST READING		
2/12	REFERRED TO LOCAL GOVERNMENT		
2/18	HEARING		
2/21	COMMITTEE REPORT—BILL PASSED AS AMENDED		
2/24	2ND READING PASSED	49	0
2/25	3RD READING PASSED	50	0
	TRANSMITTED TO HOUSE		
3/03	FIRST READING		
3/03	REFERRED TO NATURAL RESOURCES		
3/24	HEARING		
4/03	COMMITTEE REPORT—BILL CONCURRED AS AMENDED		
4/04	2ND READING CONCURRED AS AMENDED	95	5
4/07	3RD READING CONCURRED	89	9
	RETURNED TO SENATE WITH AMENDMENTS		
4/10	2ND READING AMENDMENTS NOT CONCURRED	50	0
4/11	CONFERENCE COMMITTEE APPOINTED		
4/14	HEARING		
4/17	HEARING		
4/18	CONFERENCE COMMITTEE REPORT NO. 1		
4/18	2ND READING CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED	42	0
4/19	3RD READING CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED	47	0
	HOUSE		
4/11	CONFERENCE COMMITTEE APPOINTED		
4/18	CONFERENCE COMMITTEE REPORT NO. 1		
4/19	2ND READING CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED	75	18
4/21	3RD READING CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED	80	16
4/24	SIGNED BY PRESIDENT		
4/24	SIGNED BY SPEAKER		
4/24	TRANSMITTED TO GOVERNOR		
5/01	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 503		
	EFFECTIVE DATE: 05/01/97		

SB 340 INTRODUCED BY GROSFIELD, ET AL. *LC0816 DRAFTER: PETESCH*

REVISE THE LAWS GOVERNING BALLOT ISSUES

2/12	INTRODUCED		
2/12	FIRST READING		
2/12	REFERRED TO STATE ADMINISTRATION		
2/18	HEARING		
2/21	COMMITTEE REPORT—BILL PASSED AS AMENDED		
2/24	2ND READING PASSED	49	1
2/25	3RD READING PASSED	47	3
	TRANSMITTED TO HOUSE		
3/03	FIRST READING		

INTRODUCED BY Sen. Free ^{Senate} BILL NO. 338

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING LICENSURE OF CERTAIN GUEST RANCHES AND OUTFITTING AND GUIDE FACILITIES BY THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES; PROVIDING DEFINITIONS; REQUIRING THE DEPARTMENT TO ADOPT RULES; REQUIRING NEGOTIATED RULEMAKING; PROVIDING FOR LICENSE FEES; PROVIDING FOR 2-YEAR LICENSES AND STAGGERED LICENSE DATES; REQUIRING AN OPPORTUNITY FOR CORRECTION OF CERTAIN LICENSING VIOLATIONS; AMENDING SECTIONS 50-51-101, 50-51-102, 50-51-103, 50-51-201, 50-51-204, 50-51-207, AND 50-51-401, MCA; AND PROVIDING EFFECTIVE DATES."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 50-51-101, MCA, is amended to read:

"50-51-101. **Purpose Findings and purpose of regulation.** (1) It is hereby found and declared that the public welfare requires control and regulation of the operation of establishments providing lodging space accommodations, as defined in 50-51-102 hereof, and the control, inspection, and regulation of persons engaged therein providing accommodations in order to prevent or eliminate unsanitary and unhealthful conditions and practices, which conditions and practices may endanger public health. It is further found and declared that the regulation of establishments providing lodging space accommodations as above outlined is in the interest of social well-being and the health and safety of the state and all of its people.

(2) The legislature recognizes that there is a wide disparity in the type of establishments, especially in the size, the time of year at which the establishments operate, and the ability of small establishments with few employees and a limited operating season to conform to the same standards to which larger establishments are required to conform. These factors must be considered, especially in the operation of small or seasonal businesses that are such an important part of Montana's tourism business. For these reasons, the legislature believes that department rules must be tailored to properly and reasonably address differences in the size, location, purpose, and time of year of operation of certain small or seasonal establishments. The legislature believes that rules governing certain small or seasonal establishments must be limited to requirements meant to ensure basic health standards and should not detract from the rustic,

1 out-of-doors experience offered by many guest ranches and outfitter and guide facilities and desired by
2 many tourists."

3
4 **Section 2.** Section 50-51-102, MCA, is amended to read:

5 **"50-51-102. Definitions.** Unless the context requires otherwise, in this chapter, the following
6 definitions apply:

7 (1) "Department" means the department of public health and human services provided for in
8 2-15-2201.

9 (2) "Establishment" means a hotel, motel, roominghouse, guest ranch, outfitting and guide facility,
10 boardinghouse, or tourist home.

11 (3) "Guest ranch" means a facility that:

12 (a) uses one or more permanent structures, one or more of which have running water, sewage
13 disposal, and a kitchen;

14 (b) furnishes sleeping accommodations on advance reservations for a minimum stay;

15 (c) provides hunting, horseback riding, fishing, or a working cattle ranch experience to its guests;

16 and

17 (d) is a small establishment or a seasonal establishment.

18 ~~(3)~~(4) "Hotel" or "motel" includes a building or structure kept, used, maintained as, advertised as,
19 or held out to the public to be a hotel, motel, inn, motor court, tourist court, public lodginghouse, or place
20 where sleeping accommodations are furnished for a fee to transient guests, with or without meals.

21 (5) "Outfitting and guide facility" means a facility that:

22 (a) uses one or more permanent structures, one or more of which have running water, sewage
23 disposal, and a kitchen;

24 (b) furnishes sleeping accommodations to guests;

25 (c) offers hunting, fishing, or recreational services in conjunction with the services of an outfitter
26 or guide, as defined in 37-47-101; and

27 (d) is a small establishment or a seasonal establishment.

28 ~~(4)~~(6) "Person" includes an individual, partnership, corporation, association, county, municipality,
29 cooperative group, or other entity engaged in the business of operating, owning, or offering the services
30 of a hotel, motel, boardinghouse, tourist home, guest ranch, outfitting and guide facility, or roominghouse.

~~(6)(7)~~ "Roominghouse" or "boardinghouse" means buildings in which separate sleeping rooms are rented that provide sleeping accommodations for three or more persons on a weekly, semimonthly, monthly, or permanent basis, whether or not meals or central kitchens are provided but without separated cooking facilities or kitchens within each room, and whose occupants do not need professional nursing or personal-care services provided by the facility.

(8) "Seasonal establishment" means a guest ranch or outfitting and guide facility operating for less than 120 days in a calendar year and offering accommodations to 40 people or fewer at one time.

(9) "Small establishment" means a guest ranch or an outfitting and guide facility offering accommodations to 24 people or fewer at one time.

~~(6)(10)~~ "Tourist home" means an establishment or premises where sleeping accommodations are furnished to transient guests for hire or rent on a daily or weekly rental basis in a private home when the accommodations are offered for hire or rent for the use of the traveling public.

~~(7)(11)~~ "Transient guest" means a guest for only a brief stay, such as the traveling public."

Section 3. Section 50-51-103, MCA, is amended to read:

"50-51-103. Department authorized to adopt rules. (1) The department may adopt and enforce rules to preserve the public health and safety.

~~These rules shall~~ (2) Rules applicable to a hotel, motel, roominghouse, boardinghouse, or tourist home must relate to construction, furnishings, housekeeping, personnel, sanitary facilities and controls, water supply, sewerage and sewage disposal system, refuse collection and disposal, registration and supervision, and fire and life safety code.

(3) The department shall adopt rules governing guest ranches and outfitting and guide facilities. The rules must take into consideration the size, type, location, and seasonal operations of an establishment and may include only rules to:

(a) ensure that the establishment has safe drinking water and an adequate water supply;

(b) ensure an adequate and sanitary sewage system and refuse disposal system;

(c) address food safety concerns, such as adequate storage and refrigeration; and

(d) establish staggered license expiration dates by implementing an initial licensing period determined by the department.

(4) Rules adopted to implement subsection (3) must be adopted through negotiated rulemaking

1 pursuant to the Montana Negotiated Rulemaking Act."

2
3 **Section 4.** Section 50-51-201, MCA, is amended to read:

4 **"50-51-201. License required.** (1) ~~Each year, every~~ Except as provided in this section, a person
5 engaged in the business of conducting or operating a hotel, motel, tourist home, boardinghouse, or
6 roominghouse an establishment shall annually procure a license issued by the department.

7 (2) The department may issue a license to a guest ranch or outfitting and guide facility only for a
8 license term of 2 years after an initial license term determined by the department. Guest ranches and
9 outfitting and guide facilities need not apply for a license pursuant to this chapter for the first time until the
10 later of:

11 (a) the completion of negotiated rulemaking and public notification by the department of the
12 necessity for those guest ranches or outfitting and guide facilities to obtain a license pursuant to this
13 chapter; or

14 (b) July 1, 1998.

15 ~~(2)(3)~~ (3) A separate license is required for each establishment; ~~however.~~ However, when more than
16 one of each type of establishment is operated on the same premises and under the same management, only
17 one license is required that must enumerate on the certificate the types of establishments licensed.

18 ~~(3)(4)~~ (4) Before a license may be issued by the department, it must be validated by the local health
19 officer or, if there is no local health officer, the sanitarian, in the county where the establishment is
20 located."

21
22 **Section 5.** Section 50-51-204, MCA, is amended to read:

23 **"50-51-204. License fee -- late fee.** (1) ~~There shall be paid~~ An applicant for an annual license or
24 a license with an initial license term of less than 1 year shall pay to the department with each application
25 for such a license or for renewal of such a license an annual license fee of \$40. An applicant for a biennial
26 license or a license with an initial license term of more than 1 year shall pay a license or renewal fee of \$80.
27 The department shall deposit 85% of the fees collected under this section into the local board inspection
28 fund account created in 50-2-108, 11.25% of the fees into the general fund, and 3.75% of the fees into
29 the account provided for in 50-51-110.

30 (2) In addition to the license fee required under subsection (1), the department shall collect a late

1 fee from any licensee who has failed to submit a license renewal fee prior to the expiration of his a current
 2 license and who operates an establishment governed by this part in the next licensing year or 2-year period
 3 in the case of a biennial license. The late fee is \$25 and must be deposited in the account provided for in
 4 50-51-110."

5
 6 **Section 6.** Section 50-51-207, MCA, is amended to read:

7 "50-51-207. **Expiration date of license.** Each annual license ~~shall expire on December 31 following~~
 8 expires 1 year after its date of issue unless canceled for cause. Each biennial license expires 2 years from
 9 the date of issuance. Licenses issued for the purpose of implementing staggered licensing terms expire on
 10 the date determined by the department."

11
 12 **Section 7.** Section 50-51-401, MCA, is amended to read:

13 "50-51-401. **Civil penalties -- injunctions not barred.** (1) An establishment that violates this
 14 chapter or rules adopted by the department pursuant to this chapter is subject to a civil penalty not to
 15 exceed \$500.

16 (2) Penalties may not be assessed against a guest ranch or outfitter and guide facility unless the
 17 guest ranch or outfitting and guide facility receives a written notice of a violation and fails to correct the
 18 violation within 30 days.

19 ~~(2)(3)~~ Civil action to impose penalties, as provided under this section, does not bar injunctions to
 20 enforce compliance with this chapter or to enforce compliance with a rule adopted by the department
 21 pursuant to this chapter."

22
 23 **NEW SECTION. Section 8. Effective dates.** (1) Except as provided in subsection (2), [this act] is
 24 effective July 1, 1998.

25 (2) [Section 3 and this section] are effective on passage and approval.

26 -END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for SB0338, as introducedDESCRIPTION OF PROPOSED LEGISLATION:

Bill requiring licensure of certain guest ranches and outfitting and guide facilities by the Department of Public Health and Human Services (DPHHS).

ASSUMPTIONS:

The proposed definition of a guest ranch and outfitting and guide facility will include approximately 300 new establishments not currently licensed.

The initial date of licensing guest ranches and outfitters and guide facilities will be July 1, 1998. At that time, 300 entities will pay \$40 for a 12-month license, or \$12,000 in new revenue.

The cost of the negotiated rule making process for guest ranches and outfitters and guide facilities will be approximately \$1,000 in FY98 for communications and advertising (regional newspaper ads).

Revenue will be distributed according to statute: \$10,200 (85%) to the local inspection fund; \$1,350 (11.25%) to the general fund; and \$450 (3.75%) to the administration account in DPHHS.

All funds deposited to the local inspection account will be distributed to local governments to reimburse for inspection costs.

FISCAL IMPACT:

	<u>FY98</u>	<u>FY99</u>
	<u>Difference</u>	<u>Difference</u>
<u>Expenditures:</u>		
Communications	1,000	0
Contracted services	0	10,200
<u>Funding:</u>		
General Fund (01)	1,000	0
State special (02)	0	10,200
<u>Revenues:</u>		
General Fund (01)	0	1,350
State special (02)	0	10,650
Total	0	12,000
<u>Net Impact on Fund Balance:</u> (revenue minus expense)		
General fund (01)	(\$1,000)	\$1,350
State special (02)	0	450

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

Local governments will receive \$10,200 from DPHHS to perform inspections on guest ranches and outfitting and guide facilities. Inspections are likely to cost an average of \$100 to local governments, but DPHHS will be reimbursing \$34.

TECHNICAL NOTES:

The Board of Outfitters, Department of Commerce POL Bureau, conducts inspections in conjunction with an outfitter application for licensure. Although accommodations are inspected, when listed as a part of the application, the purposes of the two inspections are very different and there does not appear to be a duplication of recommendations.

Dave Lewis 2-18-97
DAVE LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

Lorents Grosfield 2/20/97
LORENTS GROSFIELD, PRIMARY SPONSOR DATE

Fiscal Note for SB0338, as introduced**SB 338**

SENATE PUBLIC HEALTH, W & S

Page 6

- BILL NO - REFERRED - HEARING - OTHER CONSIDERATION DATES - EXECUTIVE ACTION/DATE/VOTE - REREFERRED - DATE READ

SB0317	ECK, DOROTHY	CHANGE MEDICAID ELIGIBILITY AND ALLOW DPHHS TO CHARGE SLIDING SCALE OF FEES	2/08	2/14	2/14	PASS AS AMENDED	2/19	VOTE:	2/20
SB0324	ESTRADA, SHARON	PROVISIONS REGARDING COVERAGE OF POSTMASTECTOMY CARE/BREAST CANCER TREATMENT	2/10	2/14		PASS AS AMENDED	2/14	VOTE: UNANIMOUS	2/18
SB0331	THOMAS, FRED	REVISING WORKERS' COMPENSATION REIMBURSEMENT FOR HOSPITALS	2/11	2/17		PASS AS AMENDED	2/19	VOTE:	2/20
SB0338	GROSFIELD, LORENTS	REQUIRE LICENSURE OF CERTAIN OUTFITTING & GUIDE FACILITIES & GUEST RANCHES	2/12	2/17		PASS AS AMENDED	2/21	VOTE:	2/22
SB0365	BENEDICT, STEVE	REQUIRE HMO NETWORK ADEQUACY AND QUALITY ASSURANCE	2/14	2/19		PASS AS AMENDED	2/21	VOTE:	2/22
SJ0008	ESTRADA, SHARON	RESOLUTION TO CONGRESS FOR MEDICARE MAMMOGRAM COVERAGE	2/08	2/14		DO PASS	2/14	VOTE: UNANIMOUS	2/18
SJ0016	SHEA, DEBBIE	REQUIRE DPHHS TO CONDUCT STUDY OF PROGRAM RELATED TO HOME COMPANIONS	3/08	3/14		DO PASS	3/17	VOTE:	3/19

MINUTES

MONTANA SENATE 55th LEGISLATURE - REGULAR SESSION

COMMITTEE ON PUBLIC HEALTH, WELFARE, & SAFETY

Call to Order: By CHAIRMAN STEVE BENEDICT, on February 17, 1997,
at 3:29 PM, in Room 410.

ROLL CALL

Members Present:

Sen. Steve Benedict, Chairman (R)
Sen. James H. "Jim" Burnett, Vice Chairman (R)
Sen. Larry L. Baer (R)
Sen. Chris Christiaens (D)
Sen. Bob DePratu (R)
Sen. Dorothy Eck (D)
Sen. Sharon Estrada (R)
Sen. Eve Franklin (D)
Sen. Fred Thomas (R)

Members Excused: None

Members Absent: None

Staff Present: Susan Fox, Legislative Services Division
Karolyn Simpson, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 338, SB 331, 2/17/97
Executive Action: None

HEARING ON SB 338

Sponsor: SENATOR LORENTS GROSFIELD, SD 13, Big Timber

Proponents: Page Dringman, MT Ranch Vacation Assn.
Shelly Carkoccia, Sweet Grass Ranch
Barbara Van Cleve, MT Ranch Vacation Assn.
Tack Van Cleve, MT Ranch Vacation Assn.
Julie Childs, MT Ranch Vacation Assn.
Stewart Doggett, MT Innkeepers Assn.
Jean Johnson, MT Outfitters and Guides Assn.
Jack Rich, Seely Lake
Quinn Holzer, MT Stockgrowers Assn.
Sybil Branger, self

Opponents: Mary Belcher, Department of Health

Opening Statement by Sponsor:

SENATOR LORENTS GROSFIELD, SD 13, Big Timber, said SB 338 deals with some of the Department of Health regulations for certain kinds of businesses. There are guest ranches and outfitters and guides which are seasonal, short term facilities and have a problem conforming with regulations applying to large facilities. The purpose of this bill is to recognize the wide disparity in the types of establishments, particularly size, time of year in operation, and the ability of small establishments with a few employees and a limited operating season to conform with all the same standards for large year-round establishments. The intent of this bill is to provide a slightly different regulation structure for the small seasonal operations.

Proponents' Testimony:

Page Dringman, Montana Ranch Vacation Association, said they are group of mainly cattle ranches that operate year-round basis and have some tourism component. Some of these take in a few guests year-round and others are summer only as an added value to the regular ranch operation. The 1965 statute was introduced by the hotel and motel industry and the regulations were promulgated in the early 1980's. These regulations fail to mention outfitting and guides, guest ranches, dude ranches or anything of this kind. As a result, none of these facilities had any way of knowing they were supposed to acquire a public accommodations license to comply with the regulations. The requirements for the hotel and motel industry make compliance difficult for the small, seasonal, rural operation, especially for something like city sewer and water. When questioned about these regulations, the Department of Health sent her general guidelines for hotel and motels, tourist homes, retirement homes, and boarding houses, and indicated to her, they would be reasonable and could waive certain requirements for guest ranches and outfitters and guides. If these people are required to get a public accommodations license, first there should be notice given, then give them an opportunity to be involved in the process, help them figure out what regulations and rules are really necessary for those facilities and how to implement them. There has been no reported incidences of any problems of any guest ranch or bed and breakfast. The proponents of this bill will be testifying that, if we must comply with regulations, then let us be included in the rule-making process.

Shelly Carkoccia, Sweet Grass Ranch, said they have a working cattle ranch and take in guests, and have been doing this for more than 30 years. Diversification and added value are a necessity for the small family ranch operation, if the ranch is to stay in the family. The State of Montana encourages people in agriculture to get involved in tourism by taking guests or hunters, but now the State wants to impose excessive regulations on them before they even get started in tourism. The cost of compliance is high, especially for those who are just getting started in the industry. The State is trying to fix a problem that doesn't exist and there have been no known problems or

complaints in health and sanitation of these facilities. If a small family ranch must comply with State regulations, the atmosphere of being a part of a genuine ranch family, which is the attraction for guests, is lost. Compliance with public sewer and water regulations is not relevant to a ranch in a rural area. She doesn't see there is a problem and therefore doesn't see a need for the bureaucratic regulations, but if there is a need, the regulations need to be tailored to fit each family and/or operation.

Barbara Van Cleve, Lazy K Bar Ranch, Big Timber, requested the committee to compare the cost of land, taxes, machinery, fencing materials, and labor against the price they get for cattle. There is quite a difference and it's obvious how nearly impossible it is for small ranches to make a living. The State recognized this and has been urging small, family-owned ranches to share their lives by taking in guests to ride, hunt and fish. This would supplement the ranch income and bring money to the State of Montana. This bill could make it possible for small, family-owned ranches to stay in business. They have neither the time nor money to be subject to the same regulations for motels, hotels, and large resort ranches. These regulations aren't necessary for their type of operation.

Tack Van Cleve, President, Montana Ranch Vacation Association, said this association is composed of real operating ranches and farms that take in guests on a seasonal basis. (EXHIBIT 1 & 2)

Julie Childs, Lazy E L Ranch, Roscoe, said she is from a ranch that has been in the family for almost 100 years and have been taking guests for about six years. She agreed with previous testimony and said if there are too many regulations, they will be forced to quit taking guests and employing people as they do at present.

Stewart Doggett, Montana Innkeepers Association, said they want more information about SB 338, generally support the concept of SB 338 and do not think guest ranches should be exempt from public health regulations. Guest ranches are different from hotels and motels who invest millions of dollars to make their facilities safe for the public. They want to work with the guest ranch group on the bill and would like to help in rule-making process.

Jean Johnson, Montana Outfitters and Guides Association, said they support SB 338. They are an independent, diversified group and do not want another layer of regulation. To stay in business, it is difficult to just be an outfitter, but must add other types of services, such as a bed and breakfast and overnight accommodations at their facility. She said SB 338 will work for them the way it is, but has one amendment. (EXHIBIT 3) This amendment says, if an outfitter and guide is licensed under this bill and is licensed as a bed and breakfast under SB 118, there will be only one license.

Jack Rich, outfitter and guest ranch, Seely Lake, said Montana outfitters and guides are the most heavily regulated outfitting industry in the nation, and the last thing they want are more regulations. But they do see the need for some health standards that could bring them into the loop with guest ranches and other public facilities. Guests come to them because they want an outdoor adventure, referred to as the western mystique. If they have to comply with the same regulations as motels, hotels, and restaurants, much of the atmosphere or mystique would be lost. A negotiated process and recognizes the rustic nature of some of the facilities is the cornerstone of this legislation, and without it they would have a difficult time supporting it.

Quinn Holzer, Montana Stockgrowers Association, said they support SB 338. As more and more of their membership is diversifying to things like outfitting and bed and breakfasts to keep their small ranches, the Montana Stockgrowers Association supports this bill.

Sybil Branger, self, outfitter, said because of the restrictions in the outfitting business, they have converted to being a summer ranch business, taking in small family units. She is in favor of this bill.

Opponents' Testimony:

Mary Belcher, Staff Attorney, Department of Public Health and Human Services, said the Department has concerns about SB 338 and thinks minimum rules are required to maintain public health and safety. They want to work with the sponsor, **SENATOR GROSFIELD**, to amend the bill so all parties are satisfied. The way certain facilities have been defined provides disparate treatment between those facilities and other facilities that have a limited number of guests on a yearly or seasonal basis. There are hotels and motels that do not offer the experience of a guest ranch or outfitting guide, but don't necessarily serve more than 20 people per day, based on the definition of a seasonal establishment. There are facilities that will complain that guest ranches and outfitters are getting preferential treatment. She is also concerned the bill proposes a 2-year license for outfitting guides and guest ranches. Current statutes provide for 1 year license and she doesn't think there should be exceptions made. They are also concerned about over-regulation but if the Department is restricted, they couldn't protect public health.
(EXHIBIT 4)

Questions From Committee Members and Responses:

SENATOR SHARON ESTRADA said she is confused because some of the proponents didn't sound like proponents and asked why this bill is being presented.

SENATOR GROSFIELD said they are trying to set up another tier or way of regulating those people appearing as proponents. The law has been on the books for years but has not been enforced and these people didn't know about it. The Department is getting around to regulating them now. Outfitters and guides, and guest

ranches are different type of facilities from hotels and motels. These people aren't saying, don't regulate us at all, but eliminate us from the bill. They recognize there may be a public need to regulate some areas and page 3, lines 25-28, lists these areas that may be legitimate, such as safe drinking water, adequate water supply, adequate and sanitary sewage system, refuse, food safety, etc. Because their industry is composed of small, seasonal establishments, the regulations for hotels and motels do not fit them and they want to negotiate rule making for rules that would fit their industry.

SENATOR ESTRADA asked if the Department wants to regulate those who don't have licenses, and for them to keep operating, the proponents have come to a consensus and said this is the way we want to do it.

SENATOR GROSFIELD said yes.

CHAIRMAN STEVE BENEDICT asked if the proponents are reluctant proponents to SB 338 and asked them if they realize the reluctance they have shown before the committee may create some doubts whether this bill should be passed, and if this bill is not passed, they will come under the public accommodations law and probably be out of business.

Page Dringman said they are reluctant proponents because some of them question why they should be regulated because, if there isn't a problem, why fix it? So, some of them are very reluctant to be regulated because there have been no historical problems but most do recognize there may be valid health concerns and would rather have some say in determining those regulations.

SENATOR CHRISTIAENS referred to page 3, lines 7 and 9, seasonal establishments serving 40 people or less at one time, and thinks that would be a hotel/motel type of operation, but 24 people or less would probably be a small establishment. He said those people testifying probably are in the 24 or less category, then asked about the rationale of the two numbers on the bill.

Page Dringman said the numbers came from varying size of the operations. Many hotels and motels take many more people and some guest ranches that take in 70 to 100 people. The intent was, not to leave a lot of people out, but to leave out those that are clearly so big they should have to comply with the hotel and motel regulations. The regulations should be based on size of the operation.

SENATOR CHRISTIAENS asked if there could be exemptions for those small ranches who take in only a few people, because most of them are not set up to be taking care of large numbers of people at one time. If they are using their bunk house or lake cabin, and that is what most of these people are doing, and to bring them under these regulations is not appropriate. He asked, since this

law has been on the books for a long time, what has the Department been doing.

Mary Belcher said there has not been uniform enforcement of licensing requirements for guest ranches and outfitters and guide facilities. There is 100% compliance in some counties where they license all of the guest ranches and outfitting guides, but in other counties the licensing requirement has not been enforced. Now, the Department is making efforts to notify those facilities they feel should be licensed under the statute.

SENATOR CHRISTIAENS said this seems to be the same thing that is going on with the bed and breakfast issues, that one county does it one way and every other county does it another way. It would make better sense for the Department to become standardized and get its act together before trying to regulate others.

Mary Belcher said there should be uniform applicability of the statutes and the Department is making efforts to insure laws are applied uniformly.

SENATOR EVE FRANKLIN asked **Page Dringman** about the letter her grandmother had received and wondered how the Department found her, and if other guest ranches in that area are regulated.

Page Dringman said it was in Sweet Grass County. She had talked with guest ranches in Park and Stillwater Counties, and other places, and none of them had any knowledge of this law. She agrees, enforcement has been very sporadic and possibly has been focused on Gallatin or areas of the Flathead.

SENATOR FRANKLIN said she had worked as a kitchen worker at a large guest ranch and they did have regulations.

SENATOR LARRY BAER asked **Page Dringman** why they want to do this, and if they are here to subject themselves to the regulatory bureaucracy because of fear, that if they don't, things could be even worse.

Page Dringman said yes that is probably the case because it is better for these people to be involved in crafting rules that are tailored to fit their facilities and what they do, rather than allow the Health Department to impose regulations on them, then they would have to go to court to fight.

SENATOR BAER asked why not ask for exemptions, for the type of organizations these people represent, from the regulatory authority that is not intended to cover such small operations.

Page Dringman said they thought about asking for exemptions, and there is a wide variety of guest ranches, some of whom only take four people at one time and others take 25 people during three months of the year. In talking with the Department of Health, they were reluctant to consider any exemptions, the premise

being, they are taking in the public and there are public health concerns that need to be addressed. The people she represents decided, because they do take in the public, then let's have regulations that make sense.

{Tape: 1; Side: B; Approx. Time Count: 4:15 PM}

SENATOR BAER asked Page Dringman if she feared this Legislature would be reluctant to exempt these groups from this regulation, if she were to ask for it.

Page Dringman said she didn't know what this Legislature would do, but would be agreeable to working with SENATOR GROSFIELD to exempt them.

SENATOR ESTRADA asked if the two bills, heard in the Public Health Committee, one that regulates swimming pools and the other regulates food establishments, would apply to guest ranches.

CHAIRMAN BENEDICT said those were for public accommodations but this bill is creating another class for health regulations.

SENATOR ESTRADA said we can't put both on here and both are for public accommodations.

CHAIRMAN BENEDICT said they are asking for different public accommodations laws.

Mary Belcher said the swimming pool bill would apply to any swimming pool except those owned by the state or any political subdivision of the state, but if an outfitter or guest ranch had a swimming pool, that would be regulated. There are separate safety concerns with those kinds of entities as opposed to public accommodations.

SENATOR ESTRADA asked if the restaurant inspection bill would apply to guest ranches.

Mary Belcher said it would apply to any facility that met the definition of a food establishments, but in this case, they hope to adopt rules to fit the needs of the bed and breakfasts because they may need lesser regulations for food service, and think that may also apply to certain types of guest ranches or seasonal facilities.

SENATOR ESTRADA asked Page Dringman if she understands if SB 338 is passed, you are not just getting these rules and regulations, but you're getting a bunch of rules and regulations that apply.

CHAIRMAN BENEDICT said that is not the way he interprets it. If they fall into a category with commercial application for restaurants then that law would apply. This bill gives them a little flexibility to operate without getting into public health laws that affect restaurants.

Page Dringman said that is her understanding, also. She had talked with Kathleen Martin about the food service establishment bill because there might be something that should be addressed in this bill or should oppose. Kathleen Martin said if they serve only food to just over-night guests, the facility doesn't fit the definition of food service establishment and those regulations would not apply.

SENATOR CHRISTIAENS asked Susan Fox to do some research on this issue. It is alright to serve meals to overnight guests, but if they do a chuck wagon dinner where other people are invited to attend, that would fall under the broader scope. If they have guests who pay a meal, then they will fall under the broader definition and will need commercial kitchens. This is the same thing they had in mind for bed and breakfasts and that is the reason he opposed that bill.

CHAIRMAN BENEDICT said the committee won't take executive action for a few days, and by that time, some of the people attending this hearing can get together and see that those concerns are addressed.

Closing by Sponsor:

SENATOR LORENTS GROSFIELD said if the bill is killed, the guest ranches would come under all of the motel/hotel accommodation rules, but if the bill is passed, they would be involved in negotiated rule-making with the Department, and would be somewhat limited from the hotel/motel rules. This negotiated rule-making would be limited to those four items on page 3 and is not wide-open rule making covering all aspects of their businesses.

HEARING ON SB 331

Sponsor: SENATOR FRED THOMAS, SD 31, Stevensville

Proponents: Wayne Dunn, Benefits Health Care
Jim Oliver, Kalispell Regional Hospital
Keith Colbo, Deaconess Hospital, Billings
Dave Etchart, St. Peters Hospital
Dick Brown, MT Hospital Assn.
Bob Olson, MT Hospital Assn.
Nancy Butler, State Fund

Opponents: George Wood, MT Self Insurers Assn.
Don Allen, Coalition for Workmans Comp Improvement

Opening Statement by Sponsor:

SENATOR FRED THOMAS, SD 31, Stevensville, said SB 331 revises the Workers Compensation payments to hospitals. Workers Compensation first started regulating payments made to the doctors, chiropractors, paramedical services in 1985, and a schedule of fees was developed which set payments equal to 90% of the usual and customary fee for professionals. Then, in 1987, the statute was amended to set rates for hospital payments and froze those

MINUTES

MONTANA SENATE
55th LEGISLATURE - REGULAR SESSION

COMMITTEE ON PUBLIC HEALTH, WELFARE, & SAFETY

Call to Order: By CHAIRMAN STEVE BENEDICT, on February 21, 1997,
at 3:20 PM, in Room 410.

ROLL CALL

Members Present:

Sen. Steve Benedict, Chairman (R)
Sen. James H. "Jim" Burnett, Vice Chairman (R)
Sen. Larry L. Baer (R)
Sen. Chris Christiaens (D)
Sen. Bob DePratu (R)
Sen. Eve Franklin (D)

Members Excused: Sen. Dorothy Eck (D)
Sen. Sharon Estrada (R)
Sen. Fred Thomas (R)

Members Absent: None

Staff Present: Susan Fox, Legislative Services Division
Karolyn Simpson, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Executive Action: SB 338, SB 365

{Tape: 1; Side: A; Approx. Time Count: 3:20 PM; Comments: some
comments unintelligible due to paper shuffling, room noise &
voices}

EXECUTIVE ACTION ON SB 338

Motion: SENATOR JIM BURNETT moved SB 338 DO PASS.

Motion: SENATOR CHRIS CHRISTIAENS moved the AMENDMENTS
(SB033801.asf) DO PASS. (EXHIBIT 1)

Discussion: Susan Fox said amendment 3, exempts certain
facilities and are defined later in the bill from larger ones,
and amendment 4 exempts establishments that have 8 or less people
at one time. Amendment 7 (page 3, line 27) the Department of
Health may adopt rules, and amendment 9 returns it to annual
licensure, and adds bed and breakfasts if the bed and breakfast
bill doesn't pass. Because of the return to annual license, sub

section 5 is being deleted and section 6, allows for annual licensure.

SENATOR EVE FRANKLIN asked Page Dringman to comment on the amendments.

Page Dringman said these amendments are alright, agreed with SENATOR CHRISTIAENS that bed and breakfasts should be treated the same because there are a lot of small facilities serving 8 or less, and probably there is no big health safety problem.

SENATOR BAER said amendment 4, page 2, line 10, new language says "provide sleeping accommodations for 9 or more persons at one time." He asked if "provide sleeping accommodations for 9 or more clients" wouldn't be better language.

Page Dringman said yes, if it would be a point of confusion because it is 9 or more guests, not including family that may own or operate the place.

CHAIRMAN BENEDICT asked the committee if everyone agreed to that amendment. The answer was affirmative.

Vote: The DO PASS motion for the AMENDMENTS (SB033801.asf) CARRIED UNANIMOUSLY.

Amendments: SENATOR CHRISTIAENS said he has another amendment that was going into the bed and breakfast bill but introducing it for SB 338, page 4, following line 2, for the Department to develop guidelines for county sanitarians to ensure uniform application of rules because this has been a state-wide problem for bed and breakfasts.

Vote: SENATOR CHRISTIAENS moved the amendment for the Department to develop guidelines for county sanitarians DO PASS.

Discussion: CHAIRMAN BENEDICT asked Kathleen Martin if this amendment would place an undue burden on for the Department of Health and require 3 FTE's, a computer, etc.

Kathleen Martin said it would not place a burden on the Department and that was the intent of the bed and breakfast bill and thinks this is a good amendment.

Vote: The DO PASS motion for the AMENDMENT to page 4, CARRIED UNANIMOUSLY.

Motion: SENATOR BAER moved SB 338 AS AMENDED DO PASS. The motion carried UNANIMOUSLY (proxy votes from SENATORS ECK, ESTRADA, THOMAS)

EXECUTIVE ACTION ON SB 365

Motion: SENATOR BAER moved SB 365 DO PASS.

HOUSE STATE ADMINISTRATION

Page 8

- BILL NO - REFERRED - HEARING - OTHER CONSIDERATION DATES - EXECUTIVE ACTION/DATE/VOTE - - - - - REREFERRED - - - - - DATE READ

SB0180	DOHERTY, STEVE	CLARIFY APPLICABILITY OF MAIL BALLOT TO CERTAIN ELECTIONS	2/08	3/04	CONCUR	3/05	VOTE: 15-1	3/06
SB0220	SWYSGOOD, CHARLES	CREATE THE MONTANA CONSENSUS COUNCIL IN STATUTE	2/22	3/06	CONCUR	3/07	VOTE: 14-2	3/08
SB0271	JENKINS, LOREN	DELAYED EFFECTIVE DATE FOR RULE OBJECTED TO BY ADMINISTRATIVE CODE COMMITTEE	2/21	3/05	CONCUR	3/20	VOTE: 11-0	
SB0296	JERGSON, GREG	ALLOW PURCHASE OF MSU EXTENSION SERVICE FOR RETIREMENT UNDER TRS	3/03	3/06	CONCUR	3/27	VOTE: 13-3	
SB0311	MCCARTHY, BEA	REVISE ABSENTEE BALLOT PROCEDURE TO PROVIDE FOR SECRECY	3/03	3/06	CONCUR	3/20	VOTE: 12-2	
SB0325	CRISMORE, WILLIAM	ALLOW NONCOAL MINE INSPECTIONS BY FEDERAL ONLY	3/17	3/27	CONCUR AS AMENDED	3/27	VOTE: 15-1	
SB0338	GROSFIELD, LORENTS	REQUIRE LICENSURE OF CERTAIN OUTFITTING & GUIDE FACILITIES & GUEST RANCHES	3/17	3/27	CONCUR AS AMENDED	3/27	VOTE: 16-0	
SB0340	GROSFIELD, LORENTS	REVISE LAWS GOVERNING BALLOT ISSUES	3/03	3/07	CONCUR AS AMENDED	3/21	VOTE: 10-5	
SB0344	HARP, JOHN	REQUIRE SECRETARY OF STATE TO COMPILE STATE LIST OF ELECTORS	3/03	3/07	CONCUR AS AMENDED	3/20	VOTE: 14-0	
SB0361	BENEDICT, STEVE	IMPLEMENT NATIONAL VOTER REGISTRATION ACT	3/03	3/11	CONCUR AS AMENDED	3/20	VOTE: 11-3	
SB0367	BARTLETT, SUE	CAMPAIGN CONTRIBUTION AND EXPENDITURE LIMITATIONS FOR STATE OFFICES	3/03	3/11	TABLED ON	03/27	VOTE: 10-6	
SJ0004	JERGSON, GREG	INTERIM STUDY OF FAMILY FARMING AND RANCHING: BARRIERS; OPPORTUNITIES; REPT.	3/03	3/11		3/27	VOTE:	

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 55th LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By CHAIRMAN MATT DENNY, on March 27, 1997, at 9:00 a.m., in room 420.

ROLL CALL

Members Present:

Rep. Matt Denny, Chairman (R)
Rep. Matt Brainard, Vice Chairman (Majority) (R)
Rep. Antoinette R. Hagener, Vice Chairman (Minority) (D)
Rep. Darrel Adams (R)
Rep. Haley Beaudry (R)
Rep. Tim Dowell (D)
Rep. Harriet Hayne (R)
Rep. George Heavy Runner (D)
Rep. Sam Kitzenberg (R)
Rep. Doug Mood (R)
Rep. William Rehbein, Jr. (R)
Rep. Trudi Schmidt (D)
Rep. Dorothy C. Simpson (D)
Rep. Allan Walters (R)
Rep. Bill Whitehead (D)

Members Excused: Rep. Norm Mills (R)

Members Absent: None.

Staff Present: Sheri Heffelfinger, Legislative Services Division
Keri Burkhardt, Committee Secretary

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 325, SB 338; (2/18/97), SJ 14; (2/25/97).

Executive Action: SB 87, SB 296, SB 325, SB 338, SB 367, SJ 14, HB 565.

EXECUTIVE ACTION ON SB 87

Amendments: sb008701.ash

Motion: REP. HAGENER MOVED TO BE CONCURRED IN.

{Tape: 1; Side: a; Approx. Time Count: 1.2; Comments: None.}

Motion: REP. DENNY MOVED TO AMEND. Motion carried 14-0.

{Tape: 1; Side: a; Approx. Time Count: 8.8; Comments: None.}

EXECUTIVE ACTION ON SB 367

Motion: REP. SIMPSON MOVED TO BE CONCURRED IN.

{Tape: 1; Side: b; Approx. Time Count: 10; Comments: None.}

Motion: REP. REHBEIN MOVED TO TABLE. Motion carried 10-6. Rep. Dowell, Rep. Hagener, Rep. Heavy Runner, Rep. Mills, Rep. Schmidt, and Rep. Whitehead voted no.

{Tape: 1; Side: b; Approx. Time Count: 22.3; Comments: None.}

HEARING ON SB 338

Opening Statement by Sponsor: SEN. LORENTS GROSFIELD, S.D. 13.

{Tape: 1; Side: b; Approx. Time Count: 25; Comments: None.}

Proponents' Testimony:

Page Drineland, Montana Ranch Vacation Association.

EXHIBIT 1,2,3.

{Tape: 2; Side: a; Approx. Time Count: 3.4; Comments: None.}

Tack Van Cleve, President, Montana Ranch Vacation Association.

EXHIBIT 4.

{Tape: 2; Side: a; Approx. Time Count: 7.5; Comments: None.}

Julie Childs-Roscoe, Lazy E-L Guest Ranch.

{Tape: 2; Side: a; Approx. Time Count: 12.3; Comments: None.}

Carol Kirby. EXHIBIT 5.

{Tape: 2; Side: a; Approx. Time Count: 13.7; Comments: None.}

Barbara Van Cleve, Lazy E-L Guest Ranch.

{Tape: 2; Side: a; Approx. Time Count: 16.3; Comments: None.}

Jean Johnson, Executive Director, Montana Outfitters and Guides Association.

{Tape: 2; Side: a; Approx. Time Count: 18.9; Comments: None.}

Stuart Doggett, Montana Innkeepers Association.

{Tape: 2; Side: a; Approx. Time Count: 24.4; Comments: None.}

Informational Testimony:

Kathleen Martin, Department of Health and Human Services.

EXHIBIT 6,7.

{Tape: 2; Side: a; Approx. Time Count: 26.4; Comments: None.}

Questions From Committee Members and Responses:

{Tape: 2; Side: a; Approx. Time Count: 31.3; Comments: None.}

Closing by Sponsor: SEN. GROSFIELD closes.

{Tape: 2; Side: b; Approx. Time Count: 17.3; Comments: None.}

HEARING ON SB 325

Opening Statement by Sponsor: SEN. WILLIAM CRISMORE, S.D. 41.
EXHIBIT 8,9.

{Tape: 2; Side: b; Approx. Time Count: 24.9; Comments: None.}

Proponents' Testimony:

Ron Dorvall, Golden Sunlight Mine.

{Tape: 2; Side: b; Approx. Time Count: 27.7; Comments: None.}

Jill Andrews, Montana Mining Association.

EXHIBIT 10.

{Tape: 3; Side: a; Approx. Time Count: .1; Comments: None.}

Richard Dale, Golden Sunlight Mine.

{Tape: 3; Side: a; Approx. Time Count: .9; Comments: None.}

George Wood, Montana Self Insurers Association.

{Tape: 3; Side: a; Approx. Time Count: 3.9; Comments: None.}

Chuck Hunter, Department of Labor and Industry.

{Tape: 3; Side: a; Approx. Time Count: 4.9; Comments: None.}

Russ Ritter, Montana Resources.

{Tape: 3; Side: a; Approx. Time Count: 8.3; Comments: None.}

Carl Schweitzer, Montana Construction Association.

{Tape: 3; Side: a; Approx. Time Count: 9; Comments: None.}

Jacqueline Lenmark, American Insurance Association.

{Tape: 3; Side: a; Approx. Time Count: 9.8; Comments: None.}

Questions From Committee Members and Responses:

{Tape: 3; Side: a; Approx. Time Count: 11.3 through 28; Comments: None.}

John Andrew, Department of Labor and Industry answered some questions.

{Tape: 3; Side: a; Approx. Time Count: 17.7; Comments: None.}

Closing by Sponsor: SEN. CRISMORE closes.

{Tape: 3; Side: a; Approx. Time Count: 28; Comments: None.}

EXECUTIVE ACTION ON SB 338

Amendments: sb33802.ash

Motion: REP. SCHMIDT MOVED TO BE CONCURRED IN.

{Tape: 3; Side: b; Approx. Time Count: 2.5; Comments: None.}

Motion: REP. KITZENBERG MOVED TO AMEND.

{Tape: 3; Side: b; Approx. Time Count: 9.9; Comments: None.}

Vote: REP. DENNY CALLED THE QUESTION. Motion carried 15-1.
Rep. Hagener voted no.

{Tape: 3; Side: b; Approx. Time Count: 11; Comments: None.}

Motion: REP. BRAINARD MOVED DO PASS AS AMENDED.

{Tape: 3; Side: b; Approx. Time Count: 11.3; Comments: None.}

Vote: Motion carried 16-0.

{Tape: 3; Side: b; Approx. Time Count: 14; Comments: None.}

EXECUTIVE ACTION ON SB 325

Amendments: sb032501.ash

Motion: REP. MOOD MOVED TO BE CONCURRED IN.

{Tape: 3; Side: b; Approx. Time Count: 14.7; Comments: None.}

Motion: REP. BEAUDRY MOVED TO AMEND.

{Tape: 3; Side: b; Approx. Time Count: 14.9; Comments: None.}

Vote: Motion carried 15-1. Rep. Heavy Runner voted no.

{Tape: 3; Side: b; Approx. Time Count: 15.3; Comments: None.}

Motion: REP. HAGENER MOVED TO BE CONCURRED IN AS AMENDED.

{Tape: 3; Side: b; Approx. Time Count: 15.5; Comments: None.}

Motion: REP. BEAUDRY MOVED TO AMEND.

{Tape: 3; Side: b; Approx. Time Count: 15.7; Comments: None.}

Discussion: Sheri Hefflefinger will word amendment differently in order to make more clear.

{Tape: 3; Side: b; Approx. Time Count: 16; Comments: None.}

Vote: REP. BEAUDRY CALLED THE QUESTION. Motion carried 16-0.

{Tape: 3; Side: b; Approx. Time Count: 19; Comments: None.}

Motion: REP. ADAMS MOVED TO BE CONCURRED IN AS AMENDED.

{Tape: 3; Side: b; Approx. Time Count: 19.5; Comments: None.}

Vote: Motion carried 15-1. Rep. Heavy Runner voted no.

{Tape: 3; Side: b; Approx. Time Count: 20.3; Comments: None.}

HEARING ON SJ 14

Opening Statement by Sponsor: SEN. BEA MCCARTHY, S.D. 29.

{Tape: 3; Side: b; Approx. Time Count: 22.5; Comments: None.}

Proponents' Testimony:

Alve Thomas, AARP.

{Tape: 3; Side: b; Approx. Time Count: 23.2; Comments: None.}

Beth Baker, Department of Justice.

{Tape: 3; Side: b; Approx. Time Count: 24.7; Comments: None.}